WOMEN'S BUREAU
U.S. DEPARTMENT OF LABOR

FACT SHEET

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Paid Leave For Military Families By State

Do you have a family member serving in the United States military?

Over 1.3 million people serve on active duty. Serving alongside those service members are over 1.5 million immediate family members (spouses and children) creating a community of almost 3 million.[1] To put this in perspective, if every active duty member and their immediate family lived in one state, that state, in population size, would fall between Mississippi and New Mexico– the 35th and 36th—most populous states, respectively.[2] There are even more people serving in the National Guard and the reserve.[3]

YOUR STATE'S PAID LEAVE PROGRAM MIGHT HELP YOU PROVIDE CRITICAL ASSISTANCE TO A SERVICE MEMBER IN YOUR FAMILY

Paid family and medical leave refers to policies that enable workers to receive compensation when they take time off work for qualifying family and medical reasons, such as bonding with a new child, to care for a family member who has a serious health condition, or for a serious health condition that makes the employee unable to work. There is currently no federal law that provides paid family and medical leave for the private sector, although the federal Family and Medical Leave Act provides unpaid, job-protected family and medical leave, and some states have their own paid leave programs.

The challenges of military service can require the assistance of loved ones. If you need leave from work to support a service member, a state paid leave program may provide income replacement during your time off. Several states offer paid family and medical leave to specifically address the unique circumstances military families face. In addition to other types of state paid leave, members of military families may be eligible for different types of leave including:

- **Military caregiver leave** generally can be used to care for an injured or ill service member or veteran.
- **Military family leave** (often referred to as "qualifying exigency leave") typically covers leave for common activities related to a service member's call to active duty or deployment. Depending on your state, qualifying activities may include, for example, assisting in making legal or financial arrangements for the service member's absence, attending military sponsored events, certain childcare activities, activities related to care of the military member's parent, and certain counseling.

Some, but not all, states use a broad definition of family member for one or both types of leave, so you may not have to be an immediate relative of a service member or veteran to use leave. For example, Washington state defines family member as, "someone who has an expectation to rely on you for care—whether you live together or not."[4] Be sure to check your state's official website for specific criteria.

STATE-BY-STATE OVERVIEW (DESCRIPTIONS ARE FROM EACH STATE'S OFFICIAL WEBSITE):

1. California

Paid Family Leave is offered for up to 8 weeks of benefit payments to eligible employees. Payments are available to eligible employees who need time off work for reasons related to the deployment of a spouse, registered domestic partner, parent, or child to a foreign country.[5]

2. Connecticut

Paid leave is offered to employees as income replacement benefits for military caregiver leave or qualifying exigency leave. A spouse, parent, child, or next of kin can receive up to 12 weeks total in a 12-month period of job protected military caregiver leave to care for a covered service member who incurred a serious injury or illness in the line of duty on active duty in the Armed Forces. An employee may also use qualifying exigency leave for specific reasons arising from the deployment of the employee's spouse, son, daughter, or parent on covered active duty with the Armed Forces.[6]

3. Massachusetts

Up to 26 weeks of paid family and medical leave can be used to care for a family member who is a current member of the Armed Forces, including the National Guard and Reserves, with a serious health condition received or aggravated while they were deployed. Up to 12 weeks can be used to manage needs that take place immediately after a family member is deployed or has been notified of an upcoming deployment.[7]

4. New York

Paid Family Leave allows eligible employees to take paid leave (up to 12 weeks) to assist with situations arising when a spouse, domestic partner, child, or parent is on active service in a foreign country or has been notified of an impending call to active service in a foreign country.[8]

5. Washington

Washington provides up to 12 weeks of paid family leave which can be used by eligible employees to spend time with a family member who is about to be deployed overseas or is returning from overseas deployment or deal with family issues related to the deployment.[9]

Final Note: States frequently modify paid family and medical leave programs, often to make them more flexible and inclusive. Additionally, more states are in the process of implementing new paid leave laws. If you need to take time off work to support a service member in your life, check your state's official website—you may qualify for income replacement.

Any links to non-federal websites on this page provide additional information that is consistent with the intended purpose of this federal site, but linking to such sites does not constitute an endorsement by the U.S. Department of Labor of the information or organization providing such information. For more information, please visit https://www.dol.gov/general/disclaim.

Military family members may also qualify for unpaid leave under the federal Family and Medical Leave Act (FMLA). The FMLA provides eligible employees of covered employers with job-protected leave for qualifying family and medical reasons and requires continuation of their group health benefits under the same conditions as if they had not taken leave. The FMLA protects leave for bonding with a new child, caring for the employee's child, spouse, or parent who has a serious health condition, or for a serious health condition that makes the employee unable to work. The FMLA also protects leave for reasons related to a family member's service in the military, including military caregiver leave, when a family member is a current servicemember or recent veteran with a serious injury or illness and leave for reasons related to a family member's foreign deployment (qualifying exigency leave).

More information on unpaid leave can be found from the Department of Labor's, Wage and Hour Division:

Fact Sheet #28M: Using FMLA Leave Because of a Family Member's Military Service | U.S. Department of Labor (dol.gov)

Fact Sheet #28M(a): Military Caregiver Leave for a Current Servicemember under the Family and Medical Leave Act | U.S. Department of Labor (dol.gov)

Fact Sheet #28M(b): Military Caregiver Leave for a Veteran under the Family and Medical Leave Act | U.S. Department of Labor (dol.gov)

Fact Sheet #28M(c): Qualifying Exigency Leave under the Family and Medical Leave Act | U.S. Department of Labor (dol.gov)

Endnotes

[1] "2021 Demographics Report: Profile of the Military Community." *Department of Defense,* 2021. https://download.militaryonesource.mil/12038/MOS/Reports/2021-demographics-report.pdf. Accessed 31 Oct. 2023.

[2] "US States – Ranked by Population 2023." *World Population Review,* 2023. https://worldpopulationreview.com/states. Accessed 31 Oct. 2023.

[3] "2021 Demographics Report: Profile of the Military Community." *Department of Defense,* 2021. https://download.militaryonesource.mil/12038/MOS/Infographic/2021-demographics-active-duty-families.pdf. Accessed 31 Oct. 2023.

[4] "Washington State's Paid Family & Medical Leave." *Employment Security Department, Washington State,* 2023. https://paidleave.wa.gov/find-out-how-paid-leave-works/. Accessed 31 Oct. 2023.

[5] "Paid Leave for Military Family Members," *Employment Development Department, State of California,* 2023. https://edd.ca.gov/en/disability/paid-family-leave/Military-Family-Members/. Accessed 31 Oct. 2023.

[6] "Connecticut Paid Leave." *State of Connecticut,* 2023. https://www.ctpaidleave.org/How-CT-Paid-Leave-Works/Qualifying-Reasons/Military-Family. Accessed 31 Oct. 2023.

[7] "PFML: About leave for family members of active service members." *Department of Family and Medical Leave, Commonwealth of Massachusetts,* 2023. https://www.mass.gov/info-details/pfml-about-leave-for-family-members-of-active-service-members. Accessed 31 Oct. 2023. For more information see "How to apply for military-related paid family leave." Department of Family and Medical Leave, Commonwealth of Massachusetts, 2023, retrieved October 31, 2023.

[8] "Paid Family Leave for Military Families." *New York State,* 2023. https://paidfamilyleave.ny.gov/paid-family-leave-military-families. Accessed 31 Oct. 2023.

[9] "Find out how Paid Leave works." *Employment Security Department, Washington State,* 2023. https://paidleave.wa.gov/find-out-how-paid-leave-works/. Accessed 31 Oct. 2023.